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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,266	03/05/2002	Gael Mace	PF010020	6430
Joseph S. Tripoli ⁷⁵⁹⁰ 12/07/2009 THOMSON multimedia Licensing, Inc. Two Independence Way P.O. Box 5312 Princeton, NJ 08543				
EXAMINER				
NGUYEN, CINDY				
ART UNIT		PAPER NUMBER		
2161				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/091,266

Applicant(s)

MACE ET AL.

Examiner

CINDY NGUYEN

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 7-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

This is response to communication filed 08/18/09.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 recites the limitation "wherein the step of causing..." in claim 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7-9, 11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Takaku et al. (US 6993606, hereafter Takaku).

Regarding claim 1, Takaku discloses: Method for isochronous file transfer in a network for transmission of audio/video data, comprising the steps, at the level of a client application (see col. 24, lines 1-5), of:

- requesting a client device to request the opening of an isochronous connection between the client device and a source device (i.e., an isochronous packet source secures a band necessary for transmission from the start of all cycles of the device connected according to the IEEE 1394 system see col. 8, lines 33-47 , and processing example as the input device executes processing for establishing/requesting a point-to-point connection between it and the source device, fig. 19 Takaku);

- specifying the client device a file to be transferred from the source device to the client device in an isochronous manner over the connection (see col. 9, lines 11-14, Takaku);

- specifying the client device, a starting point, within said file, from which the transfer is to be carried out (i.e., input device executes processing for establishing a point-to-point connection between it and the source device, and the source device starts transmitting audio data reproduced through the established point-to-point connection... see col. 14, lines 33-38); and

- requesting the client device initiation of the file transfer from the starting point (i.e., input device executes processing for establishing a point-to-point connection between it and the source device, and the source device starts transmitting audio data reproduced through the established point-to-point connection... see col. 14, lines 33-38).

Regarding claim 2, all the limitation of this claim has been noted in rejection of claim 1 above. In addition, Takaku discloses: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred (i.e., the nodes (source device) connected to the IEEE 1394 serial bus has to have an isochronous resource manager function, see col. 8, lines 42-63) , wherein said file manager functional component module provides an application programmable interface for access by said client application (see col. 8, lines 17-22, Takaku).

Regarding claim 7, all the limitation of this claim has been noted in rejection of claim 1 above. In addition, Takaku discloses: wherein said starting point is specified in the request for opening the connection (i.e., processing for establishing a point-to-point connection, see col. 14, lines 33-38, Takaku).

Regarding claim 8, Takaku discloses: Device for connection to a network for transmission of audio/video data, comprising:

a recording medium for storing isochronous files (col. 14, lines 5-7, Takaku); and
a functional component module providing an application programmable interface for access to said recording medium by a client device (input device) wherein the

application programmable interface (IEEE 1394) Comprises a method for transferring an isochronous file over an isochronous connection (isochronous transmission) to the client device starting from a starting point in the file, specified by the client device (i.e., an isochronous packet source secures a band necessary for transmission from the start of all cycles of the device connected according to the IEEE 1394 system/interface, see col. 8, lines 33-47 , and processing example as the input device executes processing for establishing/requesting a point-to-point connection between it and the source device, fig. 19 and col. 14, lines 33-38, Takaku).

Regarding claim 9, all the limitation of this claim has been noted in rejection of claim 8 above. In addition, Takaku discloses: wherein the application programmable interface comprises: methods for acting upon isochronous connections and files (see col. 8, lines 40-50, Takaku); methods for acting upon asynchronous connections and files (see col. 9, lines 29-40); and file type independent methods for acting upon both asynchronous and isochronous files (i.e., 8, lines 45-56, Takaku).

Regarding claim 11, Takaku discloses: Method for isochronous file transfer in a network for transmission of audio/video data, at the level of a source device comprising a recording medium for storing isochronous files, comprising the steps of:

receiving from a client device method call including a request to transmit an isochronous file to the client device over an isochronous connection with the client

device, from a starting point specified in the request (i.e., an isochronous packet source secures a band necessary for transmission from the start of all cycles of the device connected according to the IEEE 1394 system/interface, see col. 8, lines 33-47 , and processing example as the input device executes processing for establishing/requesting a point-to-point connection between it and the source device, fig. 19 and col. 14, lines 33-38, Takaku); and

initiating the file transfer from the starting point (i.e., processing for establishing a point-to-point connection, see col. 14, lines 33-38, Takaku).

Regarding claim 14, all the limitation of this claim has been noted in rejection of claim 11 above. In addition, Takaku discloses: wherein the method call is a : method call for setting up the isochronous connection (i.e., processing for establishing a point-to-point connection, see col. 14, lines 33-38, Takaku).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takaku et al. (US 6993606, hereafter Takaku) in view of Sato et al. (US 20020004711, hereafter Sato).

. Regarding claim 10, all the limitation of this claim has been noted in rejection of claim 8 above.. Takaku didn't disclose: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files. On the other hand, Sato discloses: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files (see paragraph 0108, 0110). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the directory in the system of Takaku as taught by Sato. The motivation being to provide a HAVi software directory service for making communication between software modules of each device over a network.

Regarding claim 12, all the limitation of this claim has been noted in rejection of claim 11 above. In addition, Takaku discloses: wherein the called method is part of an application programmable interface of a file manager functional component module (i.e., an isochronous resource manager function, col. 8, lines 60-63) for managing the recording medium, and further comprising the step of having the source device establish, using its local registry service (i.e., input plug of the data reception, see 9, lines 15-20, Takaku). However, Takaku didn't disclose: a global directory comprising directories of all file manager functional component module compatible devices in the network. On the other hand, Sato discloses: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous

and isochronous files (see paragraph 0108, 0110). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the directory in the system of Takaku as taught by Sato. The motivation being to provide a HAVi software directory service for making communication between software modules of each device over a network.

Regarding claim 13, all the limitation of this claim has been noted in rejection of claim 12 above. In addition, Sato discloses: further comprising the step of including directories of devices managed by an AVDisc functional component module in the global directory (0111, Sato). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include directories of devices managed by an AVDisc functional component module in the global directory in the system of Takaku as taught by Sato. The motivation being to provide a HAVi software directory service for making communication between software modules of each device over a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CINDY NGUYEN whose telephone number is (571)272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./
Examiner, Art Unit 2161

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161